

# EXHIBIT 2

LAW OFFICES OF  
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April 3, 2024

VIA U.S. MAIL and E-Mail:

Steven Sherman, Esq.  
Ferguson Praet & Sherman  
1631 E 18th Street  
Santa Ana, CA 92705-7101  
ssherman@law4cops.com

Re: *Margarito T. Lopez, et al. v. City of Los Angeles, et al.*  
USDC, Central District of California  
Case No. 2:22-cv-07534-FLA-MAA

Dear Mr. Sherman,

This office represents Margarito E. Lopez, Sonia Torres, Keni Lopez, and Rosy Lopez (“Plaintiffs”) in a civil lawsuit against the City of Los Angeles, Jose Zavala, and Julio Quintanilla, arising from an incident that occurred on or about December 18, 2021.

Please allow this letter to serve as a formal objection to Defendants’ (Jose Zavala and Julio Quintanilla) subpoena for production of Scott De Foe’s employment records, for his tenure at the Riverside County Sheriff’s Department, dated on or around March 20, 2024. Plaintiffs do not waive any privileges or any of Mr. DeFoe’s privileges, and do not consent to the production of privileged or private documents. Plaintiffs further object on the grounds that the subpoena was not served on Plaintiffs or their counsel, nor were Plaintiffs’ counsel served a Notice of Subpoena in violation of Federal Rule of Civil Procedure, Rule 45(a)(4). Furthermore, Plaintiffs object on the basis that the subpoena is untimely, as the date for complying with the Subpoena falls after the Fact Discovery Cutoff period of February 20, 2024 and the Expert Discovery Cutoff deadline of March 29, 2024 and therefore violates the Court’s Scheduling Order controlling this case. Plaintiffs further object on the basis that the subpoena requests information that is not likely to lead to the discovery of admissible evidence, and is outside the scope of Federal Rule of Civil Procedure 26. Furthermore, the information and records sought are privileged and protected under California and Federal law. See Sanchez v. City of Santa Ana, 936 F.2d 1027 (9th Cir. 1990).

We are requesting that you **do not produce** any records pertaining to Scott A. DeFoe’s personnel records, performance evaluations, tax documents, health/injury, disability, disciplinary/investigation, termination/separation agreements, medical records, or any other documents. Should you have any questions, please contact me by phone or email (sleap@galipolaw.com).

Sincerely,  
LAW OFFICES OF DALE K. GALIPO

*Shannon J. Leap*  
Shannon J. Leap  
Associate Attorney